

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re : 07 Civ. ~~11152~~ (LMM)
: Bankruptcy Case No.
ADELPHIA COMMUNICATIONS CORP., : 02-41729 (REG)
et al., a Delaware corporation, : **ORDER**
: (Related to 03 MDL 1529 (LMM)
Debtors. : and 05 Civ. 9050 (LMM))
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McKENNA, D.J.

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The Adelphia Recovery Trust ("ART") has filed a motion seeking withdrawal of the reference to the Bankruptcy Court of two adversary proceedings: (i) No. 04-03293 (CGM) (Prestige Communications of NC, Inc., et al.), and (ii) No. 04-03295 (REG) (FPL Group, Inc., et al.).

The defendants in the Prestige case seek an extension of 30 days -- from December 17, 2007 to January 17, 2008 -- to respond to the motion. ART opposes in view of the depositions reportedly scheduled for December 7, 11, 18 and 20, 2007, arguing that ART will be prejudiced by such discovery in the Prestige case which will duplicate discovery being arranged in the larger ART case against Bank of America, N.A. and others, pending in this Court, by, for instance, inconsistent discovery rulings, or duplication of depositions.

The application of the defendants in the Prestige case for an extension of time to respond to the motion to withdraw the

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reference is denied, provided, however, that it will be deemed granted if those defendants agree to a stay of proceedings (including the above mentioned depositions and any other discovery or discovery motions, but not any conference scheduled by Judge Morris) pending this Court's decision of the motion to withdraw the reference.

ART's motion for a stay pursuant to Fed. R. Bank. P. 5011 is denied because ART has not advised this Court that such motion has been presented to a bankruptcy judge or stated why it has not been so presented.

This Order is being made available to Mr. Friedman (whose office is located in this district) and Mr. Friedman is to fax a copy to Mr. Winsberg (whose office is not located in this district) forthwith upon receipt.

SO ORDERED.

Dated: December 6, 2007



Lawrence M. McKenna
U.S.D.J.